

**BEFORE THE ARIZONA BOARD OF
OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY**

IN THE MATTER OF:)	Case No. 2702
)	
DALE WHEELAND, D.O.)	
Holder of License No. 2018 for the)	
practice of osteopathic medicine)	AMENDMENT TO BOARD ORDER
in the State of Arizona.)	
_____)	

This matter came before the Board of Osteopathic Examiners in Medicine and Surgery (hereafter "Board") for action on a request for Rehearing and Review by Dale Wheeland, D.O. (hereinafter "Respondent") of the Board's prior decision in Case No. 2702 at the Board's public meeting held on February 3, 2001. Pursuant to its authority at A.A.C. R4-22-106(C), the Board considered Respondent's request for reconsideration of the Findings of Fact, Conclusions of Law and Board Order for Probation issued on December 13, 2000. During the course of these proceedings, Dale Wheeland, D.O. (hereinafter "Respondent") was present and represented by legal counsel, Jack Redhair.

Based upon Respondent's testimony and documentary evidence submitted to the Board, the Board voted to maintain its original Findings of Fact, Conclusions of Law and Order of Probation with only a modification to its Conclusion of Law No. 3 (15). Conclusion of Law No. 3 (15) was AMENDED to read as follows:

CONCLUSION OF LAW

3. The Respondent engaged in unprofessional conduct as defined in. A.R.S. § 32-1854 by violating federal and state statutes and regulations:

- (15) Knowingly making any false statement, written or oral, in connections with the practice of medicine except as the same may be necessary for accepted therapeutic purposes.

All other Findings of Fact, Conclusions of Law and terms and conditions of the aforesaid Order dated December 13, 2000 remain in force and effect.

EFFECTIVE the 3rd day of February, 2001.

ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY

By: Ann Marie Berger
Ann Marie Berger, Executive Director
9535 E. Doubletree Ranch Road
Scottsdale AZ 85258

Served by personal service or
sending U.S. mail
this 9th day of February, 2001 to:

Dale Wheeland, D.O.
1601 W. Ina Road
Tucson AZ 85704

Copy mailed this 9th day of February, 2001 to:

Jack Redhair
Chandler, Tullar, Udall & Redhair, LLP
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Blair Driggs
Assistant Attorney General
Office of the Attorney General
1275 W. Washington
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Arizona Board of Pharmacy
5060 N. 19th Ave., Suite 101
Phoenix AZ 85015

Drug Enforcement Administration
Attention: Diversion Section
3010 N. 2nd St
Phoenix AZ 85012

Celina Shepherd, Compliance Officer